

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

LANDS – Prakasam District - Deletion of land to an extent of Ac.2.39 cents in Sy. No.477/3, situated at Kothapet (V), Vetapalem Mandal, Prakasam District from the prohibitory list being maintained in the Registration Department u/s 22-A of Registration Act – Orders – Issued.

Revenue (Assignments.III/2) Department

G.O.RT.No. 1015

Dated 16.10.2015.

Read the following:-

- (1) Representation dated 'nil' of Sri Daggubati Nageswara Rao, R/o Karamchedu Village and Mnadal, Prakasam District.
- (2) Government Memo. No.3408/Regn.I/A1/2015, dated 05.02.2015.
- (3) Letter No. Rc.E2/579/2015, dated 01.05.2015 of the District Collector, Prakasam.
- (4) Representation dated 19.06.2015 of Sri Daggubati Nageswara Rao, R/o Karamchedu Village and Mandal, Prakasam District.

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ORDER:

In his representation 1st read above, Sri Daggubati Nageswara Rao has stated that the then Tahsildar granted patta to Sri Maddiboina Venkata Swamy S/o Chinnaiah in the year 1932 vide DK Patta No.28/DK/40, dated 28.6.1932 in respect of land admeasuring Ac. 2.39 cents in Sy. No.477/3 situated at Kothapet (V), Vetapalem (M), Prakasam District. In the year 1933 vide Doc. No.2167/1933 dated 01.10.1933 sold away the land to Sri Maddiboina Subbaiah S/o Kotaiah. Between 1933 to till 2014, there were (7) sale transactions executed and latest transaction was held in the year 2014 between Smt. Arani Venkata Subbamma w/o Venkata Subba Rao between Sri Daggubati Nageswara Rao. The Sub-Registrar, Chirala refused to register the document in favour of the applicant as the lands covered in the Prohibitory Register and subject land is classified as 'conditional grant'. However, in view of the order dated 27.10.2014 in WP MP No.37814 of 2014 in WP No.30245 of 2014, the site under reference was registered in favour of the applicant. Subsequently, the applicant intended to sell away the land to an extent of Ac.005 cents, the Registrar, Chirala again refused to register the document. The applicant has further stated that in a similarly situated circumstances, in case of Smt. Sushma owner of the site besides to the applicant's site, basing on the report of the District Collector report dated 18.9.2014, Government directed the IG of R&S for taking necessary action regarding deletion of land from the list of Government land in Sy. No. 497/1 and 498/1 of Kothapet (V), Vetapalem (M). The I.G. – Registration and Stamps vide Memo. No. G1/12283/14, dated 12.11.2014 directed the District Registrar, Ongole to take necessary action in the matter as per the orders issued by their office proceeding C&IG(R&S) Memo. No.G1/19131/2005, dated 21.7.2014.

2. Sri D.Nageswara Rao has therefore, requested the Government to direct the concerned authority to delete the land in Sy. No. 477/3 in Kothapet (V), Vetapalem (M) to an extent of Ac.2.39 cents from the list of Prohibitory Register of the Registration Department.

3. The District Collector in his letter 3rd read above, has submitted a detailed report in the matter. He has stated that an extent of Ac.2.39 cents in Sy. No.477/3 of Kothapet Village of Vetapalem Mandal was assigned to Maddiboyina Venkata Swamy s/o Chinnaiah vide DK No.28, dated 28.6.1932 on conditional grant and since it was assigned on conditional grant, it attracts the provisions of the A.P. Assigned Lands (POT) Act, 1977 and hence it was included in the list of assigned lands which are prohibited for alienated, and therefore requested the Tahsildar to take necessary steps to vacate the interim order dated 27.10.2014 in WP No.37814 in WP No.30245 of 2014 filed by Smt. Arani Venkata Subbamma w/o Venkata Subba Rao. The District Collector also submitted that further action will be taken after receipt of final orders in WP No.30245 of 2014.

4. In his further representation 4th read above, Sri D.Nageswara Rao has stated that his vendor Smt. Arani Venkata Subbamma has filed an withdrawal petition before the Hon'ble High Court, and the Hon'ble High Court in its Order dated 21.5.2015 in WP No.30245 has dismissed the WP as withdrawn, and he has therefore, requested the

Government to direct the concerned authority to delete the land in Sy. No. 477/3 in Kothapet (V), Vetapalem (M) to an extent of Ac.2.39 cents from the list of Prohibitory Register of the Registration Department.

5. The Government have examined the detailed report of the District Collector and observed that the Revenue authorities have admitted that the land was assigned on 28.6.1932 on conditional grant. After 1932, there are a series of transactions in the land. In the absence of records, it cannot be established that it was a conditional grant. Therefore, the balance of convenience is in the favour of treat it as un-conditional grant. No benefit will occur to Government by denying further sale transactions and keeping it in the list of prohibited lands under Section 22 A of Registration Act.

6. Therefore, after careful examination of the matter, Government hereby order to delete the land in Sy. No. 477/3 in Kothapet (V), Vetapalem (M) to an extent of Ac.2.39 cents from the list of Prohibitory Register of the Registration Department u/s 22 A of Registration Act.

7. The District Collector, Prakasam shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C.SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The District Collector,
Prakasam.

Copy to:

The Chief Commissioner of Land Administration,
AP Hyderabad.

The DG Registration & Stamps,
AP Hyderabad.

The Applicant
(through DC-Prakasam)

The Revenue (Regn.I) Deptt.
SF / SC

/ Forwarded :: By Order /

SECTION OFFICER